

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Panchayat Raj & Rural Development Department, - Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO, Ongole – Committed certain irregularities in sand auction in Kadapa District by way of unauthorizedly extending lease period – Disciplinary action initiated under rule 20 of APCS (CC&A) Rules, 1991 –Enquiry Conducted - Report submitted – Disagreement factors communicated – Explanations submitted – Imposing a punishment of stoppage of (4) four Annual Grade Increments with cumulative effect under rule 9(vi) of APCS (CC&A) Rules, 1991 – orders – Issued

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No. 2123

Dated:23.12.2013.

Read the following:-

- 1.From the DG(V&E) Vigilance Report No.138(643/V&E/NRI/2004) dated.30.8.2005.
- 2.G.O.Rt.No.195, PR&RD (Vig.III) Deptt., dt.09.02.2007.
- 3.G.O.Rt.No.1405, PR&RD (Vig.III) Deptt., dt.12.09.2008.
- 4.G.O.Rt.No.1406, PR&RD (Vig.III) Deptt., dt.12.09.2008.
- 5.Enquiry Report of Smt.Chandana Khan, IAS, COI D.O.Lr.No. 1640/COI-CK/A1/08, dt.1.7.2010.
- 6.Govt., Memo No.13984/Vig.III/2005-18, dt.16.7.2012.
- 7.Explanation dt.26.10.2012 submitted by Sri M.Satya Prakash, former DPO, Kadapa District and now CTO Ongole.

ORDER:

Whereas in the reference 1st read above, the Director General (Vigilance & Enforcement), AP, Hyderabad, has reported that Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO, Ongole, who has committed certain irregularities in sand auction in Kadapa District by way of unauthorizedly extending lease period, encouraging illegal transportation of sand keeping potential areas unauction to help the adjacent lease holder along with five others i.e., (1) Sri S.A.Razak, former District Panchayat Officer (I/c), Kadapa, (2)Sri G.Shankaraiah, former District Panchayat Officer, Kadapa, (3)Sri K.Satyanarayana, former District Panchayat Officer, Kadapa (Retired), (4)Sri T.Vasanta Diwakar, former District Panchayat Officer(I/c), Kadapa (Expired) and (5)Sri C.Venkatesh, former MPDO, MP Kazipeta, Kadapa District.

2. In the reference 2nd read above, Government, have framed Article of Charges against Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and others. In the reference 4th read above, the CO among five others were placed their defence before the COI to conduct enquiry into the charges framed in connection with irregularities in sand auction by way of unauthorizedly extending lease period against them. The COI after conducting the regular enquiry has submitted its report and holding that the Charges are held not proved vide reference 5th read above.

3. In the reference 6th read above, Government after careful examination of the Inquiry Report, have decided to communicate the Disagreement factors on the Enquiry Report to Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO Ongole, under Rule 21 of APCS (CCA) Rules, 1991 and directed to submit his explanation as to why Departmental action under rule 9 of APCS (CC&A) Rules, 1991 should not be continued, since the findings of the Enquiry Officer's are not agreed on the following grounds:

“that whatever may be the reasons for the failure of the contractor to excavate sand for certain period during the period covered by lease agreement, if at all it has really happened so; the District Panchayat Officer should not have
(PTO)

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blindly implemented the decision of District Level Sand Committee, as the decision given is against the Rules. The DPO has not followed the Rules, since he has taken local issues into consideration and not acted strictly within the rigid frame work of the lease agreements”.

4. In the reference 7th read above, Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO Ongole has submitted his explanations and denied the above disagreements factors. Government after examine the explanations of the Charged Officer has observed that it is not convincing.

5. Government, after careful examination of the matter in detail, have decided to impose a punishment of stoppage of (4) four Annual Grade Increments with cumulative effect under Rule 9(vi) of APCS (CC&A) Rules, 1991 on Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO, Ongole. Accordingly, Government, hereby order to impose a punishment of stoppage of (4) four Annual Grade Increments with cumulative effect under Rule 9(vi) of APCS (CC&A) Rules, 1991 on Sri M.Satya Prakash, former District Panchayat Officer, Kadapa District and now CTO, Ongole.

6. The Revenue (CT) Department., is requested to issue further proceedings as per the APCS (CC&A) Rules, 1991 accordingly, since, the Revenue (CT) Department, is a disciplinary authority to impose punishment against the individual. They are also requested to communicate copy of final orders issued by them to this Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
The Revenue (CT) Department.
The Director General (Vigilance & Enforcement)
Department, BRK, Bhavan, Hyderabad.
The Secretary, A.P. Vigilance Commission.
The Chief Executive Officer, ZPP, Kadapa.
The Commissioner, Commercial Tax Department,
AP, Hyderabad.
The District Treasury Officer, Ongole.
The Director of Treasuries & Accounts Department.
The Accountant General, AP, Hyderabad.
PS to M(PR&RWS)
PS to M(Revenue)
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER